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PART-I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

EXCISE AND TAXATION DEPARTMENT

Notification

The 31st July, 2020

Online Transfer Policy for Taxation Inspectors and Clerks of Field Cadre

No. 65/2020-SE-II- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following **Online Transfer Policy for Taxation Inspectors and Clerks in the Excise and Taxation Department**:

1. **Vision:** To ensure equitable distribution of Government employees at different locations in a fair and transparent manner and to maximize job satisfaction amongst employees and further to improve performance of the Excise and Taxation Department.
2. **Application:** This Policy shall be applicable to all the Taxation Inspectors and Clerks of field cadre working on regular basis in the Excise and Taxation Department.
3. **Definitions:** In this policy, unless there be anything repugnant in the subject or context;
 - (a) **'Blocked Posts'** means the vacancies of a cadre which are kept unfilled at any given point of time due to shortage of employees in the department.
 - (b) **'Employees of Special Category'** means the blind employees or the differently abled employees or their child(ren) and spouse, women employees, women headed households, widows, widowers, couple case, employees suffering from diseases of debilitating disorder;
 - (c) **'Prescribed Tenure'** means the tenure of appointment for a period of five years. While calculating the tenure of an employee for the purpose of this policy, the date from which someone is working in a zone on 31st March or any other date specified by the Administrative Secretary, Excise and Taxation Department of the calendar year of transfer shall be counted irrespective of the period spent in a zone on account of temporary transfer. The time spent in a zone of temporary transfer shall be treated as a period in the zone where an employee was posted prior to the temporary transfer. However, an employee may participate in the transfer drive subject to completion of minimum three years service in a zone;

- (d) **‘Qualifying date’ for the purpose of calculation of vacant post(s)** shall be the 31st March or any other date, specified by the Administrative Secretary, Excise and Taxation Department, of the calendar year of transfer.;
 - (e) **‘Service’** means duty period and all kinds of leave including extraordinary leave availed by a Govt. employee during the prescribed tenure.
 - (f) **‘Transfer’** means posting/appointment from one Zone to another on or before completion of prescribed tenure in a Zone;
 - (g) **‘Vacant Post for transfer’** means
 - (i) a post not occupied by any employee
 - (ii) a post presently occupied by an employee for a period of five years or more;
 - (iii) a post on which an employee has been appointed by temporary transfer or due to non-availability of online transfer drive;
 - (iv) a post occupied by an employee who has been adjudged eligible and allowed by the competent authority to participate in general transfer drive even if he has not completed the prescribed tenure in the zone where he is presently posted.
- Note 1. — Where there are blocked posts in a cadre the same shall be excluded from the number of vacant posts for transfer
- Note 2. — The post against which an employee has been posted/transferred on compulsion of administrative reasons or due to litigation shall be excluded from the vacant posts for transfer.
- Note 3. — The Department shall prepare the list of vacant posts for transfer and circulate it for the benefit of stakeholders. Depending upon input from stakeholders, such list may be amended if required.
- (h) **‘Zone’** means the office of Excise and Taxation Commissioner or Joint Excise and Taxation Commissioner (Range) / (Appeal) or Deputy Excise and Taxation Commissioner (ST) for the cadre of Taxation Inspectors; and the office of Joint Excise and Taxation Commissioner (Range) or Deputy Excise and Taxation Commissioner (ST and Excise) for the purpose of Clerks of the field cadre.

4. **General Principles:**

(i) **Time Schedule for online transfers:**

- (a) General transfers online will be made only once in a year. However, transfer/posting necessitated by promotion, direct recruitment, posts needed to be filled up in public interest, can be made anytime by the competent authority.
- (b) The online process will be completed up to 31st March and implemented after 31st March or as per exigency/convenience of the Department.

(ii) **Liable to be posted anywhere:**

Employees are liable to be transferred under this Policy in any Zone or anywhere in the State, in public interest, on completion of prescribed tenure.

(iii) **Computerization of relevant service record of employees:**

The Department shall ensure that all employees enter their service record in HRMS. Every employee shall be responsible for the accuracy and regular updation of data in the Management Information System in respect of his credentials, otherwise the Department shall be at liberty to post him anywhere in the State.

- (iv) **Rationalization and Blocking of posts:** To avoid disproportionate concentration of employees at a particular station, the department may rationalize its sanctioned posts and also block the sanctioned posts as per requirement of the department for a particular zone. However, the total number of sanctioned posts may be increased or decreased as per requirement in consultation with Work Assessment Cell in the Administrative Reforms Department and Finance Department.

5. Merit Criteria for allotment of post:

- (a) Merit for allotment of vacant post to an employee shall be based on the total composite score of points earned by the employee, out of 80 points as described below. The employee earning highest points shall be entitled to be transferred against a particular vacancy.
- (b) Age shall be the prime factor for deciding the claim of an employee against a vacancy since it shall have weightage of 60 points, out of total points.
- (c) A score of maximum 20 points can be availed by an employee of special category as indicated below:

(A) Age: The score of merit points on account of age shall be calculated as under :				
Sr. No.	Major Factor	Sub-Factor	Max. Points	Criteria for calculation
1	Age (Present date i.e. 1st January of the year of consideration minus date of birth)	Eldest person shall be given maximum points.	60	Age in number of days ÷ 365 (Maximum four decimal points only)
(B) Special Category: The set of merit points for special category employee are enumerated below:				
Sr. No.	Major Factor	Sub-Factor	Max. Points	Explanation
1	Gender	Female	10	10 points shall be given to all female employees.
2	Special category female employees	Widow/divorced/separated/unmarried female employee more than 40 years of age/wife of serving Military personnel/Paramilitary personnel working outside the State	10	All females of this category shall be given 10 marks only.
3	Special category male employee	Widower who has not re-married and has one or more minor children and/or unmarried daughter(s)	5	Eligible widowers shall be given 5 points only.
4	Differently abled persons	Vision	20	40% to 60% disability = 5Marks. Above 60% to 80% = 15 Marks. Above 80% = 20 Marks.
		Locomotors	20	
		Deaf and Dumb	20	
5	Diseases of "Debilitating Disorders" i.e. (a) currently suffering from cancer, or (b) having undergone by-pass heart surgery; or (c) kidney transplant; or (d) currently undergoing dialysis.	Self	10	Valid medical certificate issued during last one year by AIIMS (Including its branches in Haryana), PGI Rohtak, PGI Khanpur kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical College of Haryana Govt. or a Medical Board so Constituted.

(B) Special Category: The set of merit points for special category employee are enumerated below:				
Sr. No.	Major Factor	Sub-Factor	Max. Points	Explanation
6	Diseases of "Debilitating Disorders"	Spouse/unmarried children	10	Valid certificate issued during last one year by AIIMS (Including its branches in Haryana), PGI Rohtak, PGI Khanpur kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical College of Haryana Govt. or a Medical Board so Constituted.
7	Differently abled or mentally challenged children	Male/Female employee having Mentally challenged or 100% differently abled child	10	Male/Female employees having mentally challenged or 100% differently abled children shall be provided maximum 10 points.
8	Couple case	Only applicable to females.	5	Employees spouses working in any Department/Board/Corporations under any State Govt. or Govt. of India.

- (d) The employees who are 100% blind or having 80% or more locomotors disabilities involving both the legs shall be given their choice of posting.

6. Procedure to be adopted:

- i. The list of vacant posts for transfer will be circulated before each transfer drive, for the benefit of stakeholders.
- ii. Where the posts are blocked in a zone, the employee with the longest stay shall have to opt for the transfer drive. In case where more than one employee are having the same period of stay, than the younger employee shall have to opt for the transfer drive.
- iii. All the Taxation Inspectors and Clerks of field cadre working on regular basis in the Excise & Taxation Department shall be eligible to participate in the first online transfer drive. However, the employees who have completed the prescribed tenure of five years at a zone will have to mandatorily participate in the online transfer drive.
- iv. In the subsequent online transfer drives, employees who have completed three years at a zone would have the option to voluntarily participate in the online transfer drive whereas the employees who have completed the prescribed tenure of five years at a zone will have to mandatorily participate in the online transfer drive.
- v. Excise and Taxation Commissioner shall seek options for choice of station in a zone from the eligible employees for transfer. The transfer exercise shall be carried out only through approved web-based application.
- vi. The option once availed and confirmed by the employee shall be final.
- vii. An employee who is due for superannuation within one year from the date for circulation of vacant posts shall not be bound to participate in the transfer drive unless he himself desires to participate.
- viii. Merit criteria for allotment for zone will be as per clause 5 of this policy.
- ix. All transfers shall be implemented within seven days of their issuance. The Treasury Officers concerned shall not draw the salary of the employees who have not complied with the orders.

- x. An employee aggrieved with the transfer process can give representation to the Commissioner after joining at the new place of posting within 15 days of issuance of orders on a grievance redressal forum to be provided by the department for this purpose. His representation shall be considered in accordance with the policy and appropriate decision shall be conveyed to him within 30 days from the closing date for receipt of representation from the aggrieved employees.
 - xi. Online general transfer due to completion of prescribed tenure of five years shall be treated as 'transfer in public interest' and in such case the joining time and composite transfer grant shall be admissible as per provision in Haryana Civil Services Rules, 2016.
7. **Bar against canvassing:** No employee shall canvass for his case except through a representation to the Excise and Taxation Commissioner or to higher authorities in Haryana, as per this policy. All other individual representations shall be treated as an attempt to bring extraneous influence on the due process. No relief can be sought except mentioned in Clause 6(viii) above.
8. **Appointment by promotion/ direct recruitment:** Employees taken in a cadre through direct recruitment promotion/repatriation may be posted in the zone of eligibility and availability.
9. **Opportunity of option to certain categories:** The following categories of employees will not be transferred unless they desire to participate in the transfer drive:
- (a) employees having 12 months or less in retirement on the date of next transfer drive;
 - (b) unmarried female employees upon marriage;
 - (c) married female employees upon divorce; or
 - (d) widow or widower employees on the death of spouse;
- However, the above exemption will not be given in the next transfer drive after the event.
10. **Clarification and Implementation:** In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Excise and Taxation Commissioner in consultation with General Administration Department shall be the competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect.
11. **Power to relax:** Notwithstanding anything contained in the policy, the Administrative Secretary, Excise and Taxation Department with the prior approval of the Chief Minister, Haryana, shall be competent to transfer an employee to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

ANURAG RASTOGI,
Principal Secretary to Government Haryana,
Excise and Taxation Department.